

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-11682NMG

RI HOLDINGS COMPANY, LLC )  
Plaintiff, )  
V. )  
TIMOTHY P. MCINERNEY, )  
individually and as in his )  
capacity as town administrator )  
of the TOWN OF SEEKONK )  
and TOWN OF SEEKONK, )  
Defendants. )

**THE DEFENDANTS' DISCLOSURE IN ACCORDANCE WITH FEDERAL  
RULES OF CIVIL PROCEDURE RULE 26**

The Defendants, Timothy P. McInerney and the Town of Seekonk, provide the following information pursuant to the initial disclosure provisions of Local Rule 26.2 and Fed. R. Civ. P. 26(a):

26(a)(1)(A). Individuals likely to have discoverable information relevant to the incidents as described in the Plaintiff's Complaint:

1. H. Charles Tapalian, Plaintiff, address unknown, Seekonk, Massachusetts
2. Keeper of Records, Seekonk Holdings, LLC, address unknown, Rhode Island.
3. Timothy P. McInerney, the Defendant, former Town Administrator for the Town of Seekonk, Seekonk, Massachusetts.
4. James Tusino, witness, former Director of Public Works, Seekonk, Massachusetts.

5. William Keegan, former Town Administrator of the Town of Seekonk
6. Caputo and Wick, witness, engineering firm, address unknown.
7. Keeper of Records, Town of Seekonk, Seekonk, Massachusetts
8. Stone Gate Builders, address unknown
9. Christopher Pelletier, witness, Board of Selectmen, Seekonk, Massachusetts
10. Doreen Taylor, witness, Board of Selectmen, Seekonk, Massachusetts
11. Francis Vendetti, witness, Board of Selectmen, Seekonk, Massachusetts
12. Dana Beale, witness, Board of Selectmen, Seekonk, Massachusetts
13. George Poli, witness, Board of Selectmen, Seekonk, Massachusetts
14. Keeper of Records, Massachusetts Housing Finance Agency
15. Lawrence Havrylik, witness, Board of Selectmen, Seekonk, Massachusetts
16. Nathan Helgerson, witness, Board of Selectmen, Seekonk, Massachusetts
17. Seekonk Town Counsel, witness, Seekonk, Massachusetts
18. Other present and former members of the Seekonk Board of Selectmen, Seekonk, Massachusetts.

The Defendants reserve the right to supplement this list as more information becomes available to them.

26(a)(1)(B). Description by category and location of all documents that are relevant to dispute facts alleged with particularity in the pleadings:

Subject to objection to production of documents based on work-product or attorney-client privilege, the following categories of documents will be provided with this initial disclosure or at the offices of Brody, Hardoon, Perkins & Kesten, LLP, 1 Exeter Plaza, Boston, MA 02116:

1. The defendants presently have no documents in their possession, custody or control.
2. The defendants have produced documents relative to ongoing litigation in a related matter entitled: *H. Charles Tapalian v. Lawrence Havrylik, et. al.* USDC District of Massachusetts C.A.: 02-12216RGS.
3. The defendants are aware that the Plaintiff has documents and information from prior litigation including, but not limited to, CA: A00-1272PBS of USDC District Of Massachusetts entitled: *H. Charles Tapalian v. James B. Tusino, et. al.*, as well as other litigation referenced in the Plaintiff's Complaint, i.e. CA: 90-02184, *Taplian v. Town of Seekonk, et. al.*, Bristol County Superior Court, Bristol Superior Doc. no. 98-01559 entitled: *Town of Seekonk v. H. Charles Tapalian*.

The defendants reserve the right to supplement this list as more information becomes available to them.

26(a)(1)(C). Computation of any category of damages claimed by the disclosing party:

Not applicable

26(a)(1)(D). Insurance:

Available upon request

Respectfully Submitted,

/s/ Jeremy I. Silverfine

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Leonard H. Kesten, BBO # 542042  
Jeremy I. Silverfine, BBO#542779  
BRODY, HARDOON, PERKINS AND KESTEN, LLP  
One Exeter Plaza  
Boston, MA 02116  
(617) 880-7100

Dated: